

GOA MOTION ADDRESSING 29 STAFF TOPICS

Friday, October 10, 2003

2:41 PM

Modifying June 2003 Council Motion

Topic 1: Allocation of target species by gear.

Reference AP Motion, Page 3:

2.3.1 Initial allocation of catch history

DELETE OPTION 1 (ALLOCATE CATCH HISTORY BY SECTOR AND GEAR TYPE).

OPTION 2 IS RENUMBERED TO OPTION 1.

Topic 2: Harvest share sector designations.

Reference AP Motion, Page 4:

2.3.2.2 Harvest share sector designations.

DELETE OPTION 1

Topic 3: Harvest share gear designations

Reference AP Motion, Page 4:

2.3.2.3 Harvest share gear designations

Delete all options and replace with AP language, as follows:

Option 1: Designate CV harvest shares as Trawl, Longline, and Pot

Option 2: Designate harvest shares and high and low producer fixed gear

Option 3: Designate CP harvest shares as CP trawl, CP longline, CP pot.

Insert new Section:

2.3.2.x Harvest Share Restrictions—Harvest restrictions apply to primary species only.

Harvest restrictions for primary harvest shares (or IFQ) may be used by other gear types except that:

Option 1: No restrictions

Option 2: Fixed gear harvest share (or IFQ) may not be harvested using trawl gear

Option 3: Pot gear harvest shares may not be harvested by longline or trawl gear

Option 4: Pot and longline harvest shares may not be harvested by trawl gear

Topic 4: Designation of sectors for cooperative formation.

Reference Staff Document, Page 17-18:

4.2.1 Coops can be formed between holders of harvest shares or history of...

Within Alternative 2 in Matrix Table:

- Catcher/processors
- Trawl catcher vessels
- “High producing” fixed gear catcher vessels
- “Low producing” fixed gear catcher vessels

Within Alternative 3 in Matrix Table:

- Trawl Catcher/processors
- Longline catcher/processors
- Pot catcher/processors
- Trawl catcher vessels
- Longline catcher vessels
- Pot catcher vessels

Topic 5: Share transferability and ownership restrictions.

Reference AP Motion, Page 4-5:

2.3.3.1 (Persons eligible to receive harvest shares....) and 2.3.3.5 (definition of sea time)

Insert new options 1, 2, 3 and 5, as follows:

- Option 1: Individuals eligible to document a vessel with at least 150 days of sea time (apply to CV shares).
- Option 2: Entities eligible to document a vessel that have a US citizen with 20% ownership and with at least 150 days of sea time (apply to CV shares).
- Option 3: Entities eligible to document a vessel (apply to CP).
- Option 4: Initial recipients of CV or C/P harvest share.
- Option 5: Community administrative entities would be eligible to receive harvest shares by transfer.

Insert new definition of sea time:

Sea time in any of the U.S. commercial fisheries in a harvesting capacity.

Topic 6: Designation of catcher/processor shares on transfer.

Reference AP Motion, Page 5 and Staff Document, Page 19:

2.3.3.2 Restrictions on transferability of CP harvest shares.

Revise section to read as follows:

Option 1: CP harvest shares maintain their designation when transferred to persons who continue to catch and process CP harvest shares at sea, if CP harvest shares are processed onshore after transfer, CP harvest shares convert to CV harvest shares.

Option 2: Redesignate CP shares as CV shares upon transfer to a person who is not an initial issuee of CP shares.

2.3.3.3 CP shares redesignated as CV shares

Revise sections to read as follows:

When CP shares are redesignated as CV shares;

CP harvest shares retain their gear designation upon transfer.

Purchaser must further identify which processing provision and regionalization provision apply to the shares, consistent with the gear type.

Topic 7: Processor licenses and linkages.

No Action.

Topic 8: Regionalization of harvest shares and processing license.

Reference AP Motion, Page 11-12:

2.9.1 Regionalization

Insert New Option 2, and new paragraph as follows:

Option 2: Be based on the years 1999-2002.

In the event harvest shares are regionalized and the linkage option is chosen, a harvester's shares in a region will be linked to the processor entity in the region to which the harvester delivered the most pounds during the qualifying years.

Add a new bullet as follows:

- Secondary species are not subject to regionalization.

Topic 9: Community-based or region-based processing licenses.

No Action.

Topic 10: Crediting of processing history.

No Action.

Topic 11: Cooperative membership of processor affiliated vessels.

No Action.

Topic 12: Processor linkages for harvest shares.

No Action.

Topic 13: Penalties for moving between linked processors.

Reference AP Motion, Page 18-19:

3.1.1.3 Penalties for moving between linked processors:
Delete Option 1.

In Option 3, add new Suboption 2 as follows:

Suboption 2: Full penalty applies to first move, subsequent moves are penalized at half of that rate.

Add the following language to Option 4, as follows:

Option 4: One-year penalty in open access. Harvester's shares must move as a block with all shares subject to the one-year open access penalty. No open access penalty required if an agreement between coop members and the affiliated processor could be struck.

Topic 14: Penalties for moving between linked processors.

Reference Staff Document, Page 28-29:

Insert at X.X the following language: "Require that a cooperative accept membership of any eligible participant subject to the same terms and conditions that apply to other cooperative members".

Topic 15: Processor caps.

No Action. Note: See Topic 7.

Topic 16: Crediting trawl harvests from SEO in the WYAK allocation.

No Action.

Topic 17: Individual and vessel caps.

Reference AP Motion, Page 6:

2.3.3.7 Separate and distinct harvest share use caps....

Insert in title, the following language:

Individual caps apply to all harvesting categories by species with the following provisions:

In 2(i), strike “/or”

Delete the first two sentences from the first paragraph and add a new paragraph after 3(ii), as follows:

Vessel use caps on harvest shares harvested on any given vessel shall be set at two times the individual use cap for each species. Initial issues that exceed the individual or vessel use caps are grandfathered at their current level as of a control date of April 3, 2003, including transfers by contract entered into as of that date.

Topic 18: Responsibility for harvests.

Reference AP Motion, Page 8:

2.5.1 Accounting for halibut bycatch....

Strike “and trawl” from the third line, to read as follows: Hook and line entities.

Insert Options 1, 2 and 3, as follows:

Option 1: Modeled after sablefish IFQ program (no direct inseason accounting of halibut PSC. Holders of halibut IFQ are required to land legal halibut. Estimates of sub-legal and legal size incidental mortality are accounted for when setting annual CEY.

Option 2: Halibut PSC will be managed through harvest share allocations.

Option 3: Holders of halibut IFQ are required to land legal halibut. Halibut bycatch occurring without sufficient IFQs would count against PSC harvest share allocations.

Add a new Option 4, as follows:

Option 4: Continue to fish under PSC caps.

Trawl Entities:

Option 1: Halibut PSC will be managed through harvest share allocations.

Option 2: Continue to fish under PSC caps.

2.5.3 Annual transfer/leasing of trawl or fixed gear halibut PSC mortality

Insert new Options 5 and 6, as follows:

Option 5: Exclude any halibut PSC transferred for participation in the incentive fisheries (includes transfers outside the cooperative).

Option 6: Exclude any halibut PSC transferred within a cooperative.

2.5.5 Retention of halibut bycatch by longline vessels

In the title, delete “longline” and insert “fixed gear”.

Add new language to the first paragraph to read as follows:

Halibut bycatch may be retained outside the halibut season from Jan. 1 to start of commercial fishery, and from end of commercial fishery through Nov. 15. Any person retaining halibut must have adequate halibut IFQ to cover the landing. Retention is limited to (range 10-20%) of primary species.

Delete Options 1 and 2 and replace with new Options 1 and 2, as follows:

Option 1: In all GOA areas.

Option 2: Limited to Areas 3A, 3B, and 4A.

Topic 19: Sideboards.

Reference Staff Document, Page 35:

2.12 Sideboards...

Delete second sentence beginning with “Participants in the GOA. . .” and insert the following language: “The Council should consider adding sideboards for the GOA jig fishery, which will not be included in the rationalization program.”

Topic 20: Owner on board requirements and vessel length categories.

Reference Staff Document, Page 36:

2.3.3.8 Owner on board provisions...

Remove (ii).

In Suboption 6, insert the following language at the end of the sentence:

Out of any 10 year period.

Delete Suboptions 4 and 5, and insert new Suboption 5 as follows:

Suboption 5: Shares acquired in the first five years by original issuee shall:

- a) retain owner on board designation, and
- b) be exempt from owner on board provisions as long as original issuee holds these shares

Topic 21: Leasing provisions.

Reference: Staff Document, Page 37:

2.3.3.6 Leasing of QS....

Insert new Option 6 as follows:

Option 6: No leasing restrictions for the first three years. After this grace period, leasing will be allowed if the entity which also owns 100% of a vessel which made X landings or X% of the primary species shares held by the entity in at least 2 of the most recent 4 years.

Topic 22: Deliveries to catcher/processors.

No Action.

Topic 23: Incentive fisheries participation.

Reference: AP Motion, Page 10:

2.6.1 Eligibility to fish in the incentive fisheries...

Insert new Option B, as follows:

Option B: Open access participants will be permitted to harvest incentive species as long as the open access fishery remains open and NMFS determines that the secondary and PSC allocations remaining in the open access fishery are adequate to support prosecution of incentive species.

Add new language to Option C to read as follows:

Option C: Any holder of halibut or sablefish IFQ that has adequate IFQ or PSC and secondary species. The AP requests the Council task the IFQ Implementation Team with developing options for accessing incentive species and managing halibut bycatch.

Topic 24: Incentive fisheries accounting.

Reference: AP Motion, Page 10:

2.6.2 Catch accounting for the incentive fisheries...

Insert new Option 4 as follows:

Option 4: For open access participants, the harvest of incentive species quota allocated to open access participants must be fished prior to gaining access to the unallocated portion of the incentive species quota.

Topic 25: Eligibility of halibut and sablefish IFQ holders.

No Action.

Topic 26: Halibut PSC transfer reductions and cooperatives.

Reference: AP Motion, Page 8:

2.5.3 Annual Transfer/leasing of Trawl or Fixed Gear Halibut PSC mortality

Add a new Section 2.5.3.1 as follows:

2.5.3.1 PSC Reduction for Non-Members of Cooperatives

Non-members of cooperatives would have PSC reduced by:

- i 5%
- ii 15%
- iii 30%

PSC reduction will not apply to low-producing fixed gear participants.

Delete from Section 2.4, Suboption 2 of Option 2.

Topic 27: Blocked shares.

Reference: AP Motion, Page 10-11:

2.7 Preserving entry-level shares for P. cod...

Insert new language in Section 2.7.1, to read as follows:

2.7.1 Each initial allocation of P.cod harvest shares based on the final year of the qualifying period to fixed gear catcher vessels below the block threshold size would be a block of quota and could only be permanently sold or transferred as a block.

Add new Option 3 as follows:

Option 3: No Block Program

2.7.3 Any person may hold (Alternatives 2 and 3):

Add the following language to the end of Option 2:

... and any amount of unblocked shares

<u>Topic 28: State fisheries and data analysis.</u>
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No Action.

<u>Topic 29: “Target” and “bycatch” species.</u>

Replace “target species” with “primary species” throughout the entire June 2003 motion.

Replace “bycatch species” with “secondary species” throughout the entire June 2003 motion.